

MANDATORY DISCLOSURE IN CONTESTED CASES INVOLVING CHILD SUPPORT

WARNING: These rules and requirements apply ONLY to family law cases filed in the Fourth Judicial District on or after January 1, 2013.

If your case involves child support, you must provide the other party with proof of monthly income, costs, and expenses within 35 days from the day a response was filed. The other party must do the same. If the Department of Health and Welfare is a party, they are not required to provide the same disclosures. To provide these minimum disclosures you should:

Step 1. Talk to a Lawyer, if Possible.

WARNING: When you represent yourself in a court case you are held to the same standard as a lawyer. This applies to your preparation of paperwork and your conduct at all hearings and/or trial. Your lack of legal knowledge may cause you to make serious errors in handling your case. These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee that your rights are protected or that you will be satisfied with the result. You should always talk to a lawyer about your legal problems before filing any legal paperwork. Even if you do not hire a lawyer to appear in your case, you may be able to find a lawyer to review your paperwork or give you more information about your rights. Call the Idaho State Bar (208-334-4500) to provide you with the name of a lawyer who handles this type of case. Contact the Court Assistance Office for information about resources for low-income people, or visit the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Step 2: Collect the information. Below is a checklist that lists the items (child support disclosures) that you must give to the other party:

- ☐ Affidavit Verifying Income and Child Support Worksheet;
- ☐ Proof of your income from all sources for the prior two years. Including: W-2, 1099 and K-1 forms, and year-to-date income information for the current year, such as:

Year-to-date pay stub	Salaries	Wages	Commissions
Dividends	Severance pay	Pensions	Interest
Annuities	Capital gains	Social Security	Worker's Comp.
Unemployment	Disability	Recurring gifts	Prizes
Bonuses	Trust Income	Benefits	Spousal Maintenance

- ☐ Proof of child support and spousal maintenance actually paid in any court case other than this case;
- ☐ Proof of the following for any child listed or referenced in the petition:
 - ☐ Cost of all medical, dental, and vision insurance premiums that you pay;
 - ☐ Cost of any child care expenses that you pay;
 - ☐ Expenses that you pay for private or special schools or other education needs;
 - ☐ Expenses that you pay for the special needs of a gifted or handicapped child.

Step 2. Get the proper forms. Get the form you need either from the Supreme Court's Self-Help Center Website at <http://www.courtselfhelp.idaho.gov/> or from your local court assistance office at the county courthouse. You will need the following form:

WARNING: This Form is only approved for use in the 4th Judicial District.

CAO RFLPPi Cv 4-5 Certificate of Service

Step 3. Complete the Certificate of Service. You must let the court know that you have given the other party the child support disclosures by completing the Certificate of Service form. Fill in the form by typing or by printing neatly and legibly in **black ink**.

- **At the top left-hand corner of page 1**, fill in your full legal name, mailing address and telephone number.
- **The Court Heading.** Fill in the county and judicial district in capital letters (for example, "IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF ADA").
- **The Caption.** Fill in the names of the petitioner and respondent and case number exactly as they appeared in the caption in the case.
- **The Form.** Fill in the date that you mailed the information to the other party(ies). Then fill in the name(s) of the documents that you mailed to the other party (i.e. Mandatory Disclosures for Child Support under IRFLP Rule 401). Next, fill in name, mailing address, city, state and zip code for the other party(ies) to the case. Last, sign and date the Certificate of Service, and print your name in the space to the right of your signature.

Step 4. Make copies. Make one copy of the child support disclosures and two copies of the Certificate of Service.

Step 5. Mail the copies. Mail the copy of the child support disclosures to the other party(ies) along with a copy of the Certificate of Service. Keep your original child support disclosure documents and a copy of the Certificate of Service for your own personal records.

PLEASE NOTE: As the case progresses you are required to provide updated or amended information to the other party if any of the information you provided to them changes.

Step 5: File with the Court. Take and file the original Certificate of Service with the court clerk in the county where the case is filed.

Do Not file a copy of the child support disclosures with the court.